

States, recommending its rejection. Read and adopted.

The Senate being full, and the question being on the reconsideration of the vote which adopted the report of the Judiciary committee, recommending the rejection of the bill supplementary to an act concerning executions.

Mr. Gentry moved the previous question, which was ordered.

The yeas and nays were then taken on the reconsideration and stood thus:

YEAS—Messrs. Blanch, Chambers, Duggan, Fall, Harmon, Lott, Miller, Neal, Parsons, Pitts, Rains, Scarborough, Shepard and Walker—14.

NAYS—Messrs. Dulaney, Erath, Gentry, Grimes, Guinn, Herbert, Hyde, Martin, Potter, Schleicher, Stockdale, Throckmorton and Whaley—13.

The question then recurred on the adoption of the report.

Whereupon Mr. Lott moved to lay the report and bill upon the table, and the yeas and nays being called were as follows:

YEAS—Messrs. Blanch, Chambers, Duggan, Fall, Harmon, Lott, Miller, Neal, Parsons, Pitts, Rains, Shepard and Walker—13.

NAYS—Messrs. Dulaney, Erath, Gentry, Grimes, Guinn, Herbert, Hyde, Martin, Potter, Scarborough, Schleicher, Stockdale, Throckmorton and Whaley—14.

Mr. Gentry moved to indefinitely postpone the whole subject.

Whereupon the yeas and nays were called and the motion carried by the following vote:

YEAS—Messrs. Blanch, Dulaney, Erath, Gentry, Grimes, Guinn, Herbert, Hyde, Martin, Potter, Scarborough, Schleicher, Stockdale, Throckmorton and Whaley—15.

NAYS—Messrs. Chambers, Duggan, Fall, Harmon, Lott, Miller, Neal, Parsons, Pitts, Rains, Shepard and Walker—12.

On motion the Senate adjourned until 10 o'clock, A. M. tomorrow.

WEDNESDAY, April 3, 1861.

Senate met pursuant to adjournment. Prayer by the Chaplain—roll called—quorum present. The journal of yesterday was read and adopted.

Mr. Miller, chairman of the Finance committee, made the following reports:

The committee on Finance, having considered a bill to make an appropriation for the payment for certain mules furnished for

the military service of the State, have instructed me to report the same back to the Senate, and recommend the adoption and passage of the accompanying substitute.

The committee on Finance have had under consideration a bill providing for the pay of the current expenses of the revenue cutter "Dodge," and recommend the adoption of the accompanying joint resolution as a substitute.

Your committee on Finance have considered a bill supplemental to an act making an appropriation for the per diem, pay and mileage of the Members and Officers of the Convention, and recommend its passage.

Mr. Dulaney, from the committee on the Judiciary, to whom was referred a bill to amend article 1049, section — of the law relating to the Selection of Jurors, passed February 13, 1858, reported the accompanying substitute, and recommended its passage.

Mr. Throckmorton, chairman on the part of the Senate, of the joint committee on reduction of Expenditures of the Government, reported the following bills, and recommend their passage:

A bill to regulate the salaries of certain State Officers and Clerks therein named, and to reduce the number of Clerkships in the Comptroller's Office, and to arrange the same, and to abolish the allowance for contingent fund. Read first time.

A bill to reduce the expenditures on account of the General Land Office, and to regulate the fees and the manner of conducting the same. Read first time.

Mr. Potter introduced a bill to extend the time for completing the Improvement of the Brazos River. Read first and second times, and referred to the committee on Internal Improvements.

Mr. Blanch introduced a bill supplementary to, and amendatory of, an act to amend the fourth section of an act to provide for the investment of the Special School Fund in the bonds of Railroad Companies incorporated by the State, passed August 13, 1856, approved February 22, 1858. Read first and second times, and referred to the committee on Internal Improvements.

Mr. Gentry introduced a bill supplementary to the act to provide for the investment of the Special School Fund in the bonds of Railroad Companies incorporated by the State, passed August 13, 1856. Read first and second times, and referred to the committee on Internal Improvements.

Mr. Potter introduced a bill to amend the seventy-first and ninety-second sections of an act to regulate proceedings in the District Court; approved May 13, 1846. Read first time.

Rule suspended, read second time, and bill ordered to be engrossed.

Mr. Lott moved to amend by adding, at the end of first section,

"Provided, That no evidence taken in Mexico, under the provisions of this section, shall be used in any cause where the title to real estate in this State is in issue."

Lost, by the following vote—it requiring two-thirds to amend:

YEAS.—Messrs. Blanch, Chambers, Duggan, Dulancy, Grimes, Guinn, Herbert, Lott, Martin, Pitts, Rains, Walker and Whaley—13.

NAYS.—Messrs. Fall, Gentry, Hyde, Miller, Neal, Parsons, Potter, Scarborough, Shepard, Stockdale and Throckmorton—11.

Rule suspended, bill read third time, and passed.

Mr. Blanch moved to reconsider, upon which the yeas and nays were called, and stood as follows:

YEAS.—Messrs. Blanch, Chambers, Duggan, Dulany, Erath, Fall, Gentry, Grimes, Harmon, Herbert, Lott, Martin, Miller, Pitts, Rains, Walker and Whaley—17.

NAYS.—Messrs. Guinn, Hyde, Neal, Parsons, Potter, Scarborough, Schleicher, Shepard, Stockdale and Throckmorton—10.

Mr. Miller moved to reconsider the vote engrossing the bill. Carried. The question recurring upon the amendment of Mr. Lott, the amendment was lost, and bill engrossed, read third time, and passed by the following vote:

YEAS.—Messrs. Blanch, Chambers, Duggan, Fall, Gentry, Guinn, Herbert, Hyde, Martin, Miller, Neal, Parsons, Pitts, Potter, Rains, Scarborough, Schleicher, Shepard, Stockdale, Throckmorton and Walker—21.

NAYS.—Messrs. Dulaney, Erath, Grimes, Harmon, Lott and Whaley—6.

On motion of Mr. Miller, a bill supplemental to, and making, an appropriation for the per diem pay and mileage of the members and officers of the Convention, was taken up, read, and ordered to be engrossed. Rule suspended, read third time, and passed.

Mr. Pitts, chairman of the committee on General Land Office, to whom was referred a resolution in regard to having all papers in relation to land titles, or lands issued either by Spain or Mexico, and having them deposited in the General Land Office, reported the following bill, and recommended its passage.

A bill requiring the Commissioner of the General Land Office to procure all papers in this State relating to Land Titles issued

either by Spain or Mexico, and have them filed in the General Land Office. Read first time.

Mr. Fall, chairman of the select committee, to whom was referred the petition of A. G. Walker, for change of venue, reported the same to the Senate for its action, without any recommendation.

A bill for the relief of Thomas H. Duggan read, and ordered to be engrossed. Rule suspended, bill read third time, and passed.

A bill for the relief of Martin Jones read, and ordered to be engrossed. Rule suspended, bill read third time, and passed.

A bill repealing an Ordinance of the late Convention of the People of the State of Texas in relation to Custom House Officers, and Customs' Revenue, adopted March 8, 1861. Read and ordered to be engrossed.

Rule suspended, bill read third time, and passed.

Resolution to repeal resolution heretofore passed, providing that no private business shall be transacted during the present session. Read and referred to the committee on State Affairs.

Mr. Fall offered the following resolution:

Resolved, That the committee on the Judiciary be instructed to inquire into the expediency of passing some law to punish slaves for selling or giving spirituous liquors to slaves or other persons.

A message was received from the House, informing the Senate that the House had passed Senate's joint resolution in relation to the revenue cutter "Dodge," and the officers thereof.

And House bill, supplementary to an act to provide for the investment of the Special School Fund in the bonds of Railroad Companies, incorporated in the State by act of August 13, 1856

Bill to amend the act amendatory of the laws to raise Revenue by taxation, approved February 16, 1858.

Bill making appropriation for the mileage and per diem pay of the members, and the per diem pay of the officers, of the adjourned session of the Eighth Legislature.

Joint resolution, authorizing the payment of the salary of the late Captain T. P. Paster, deceased, as door-keeper of the House of Representatives, to D. C. Dickson.

Joint resolution for turning over the property now in the possession of the State, lately taken from the United States Government, to the Confederate States Government.

A resolution to adjourn, *sine die*, on Monday, April 8, at ten o'clock, A. M.

A bill for the relief of Charles Ganahl.

Mr. Walker introduced a bill to suspend legal process, after judgment for the Collection of Debts, read first and second times, and referred to committee on State Affairs.

Mr. Herbert introduced a bill authorizing the Commissioner of Boundary Survey to draw the pay of clerk to said survey, from and after the tenth day of June, A. D. 1860. Read first and second times, and referred to the committee on State Affairs.

A bill for the encouragement of Manufactories in Texas. On report of the committee on State Affairs, recommending amendments. Read second time; amendments adopted.

Mr. Martin offered the following amendment—add, “the manufacture of superfine flour”

On motion of Mr. Lott, the amendment was laid on the table.

Mr. Miller moved to lay the bill on the table. Lost.

Mr. Martin offered the following amendment:

“The parties receiving the benefits of this act by donation of land, shall bind themselves to keep said manufacturing establishments in good order, and keep the same in operation for ten years after receiving the benefits accruing from this act.”

On motion, the amendment was laid on the table. The question being on the re-reference of the bill to the committee on State Affairs,

On Mr. Blanch's motion thereupon, the Senate adjourned until seven o'clock, P. M.

7 o'CLOCK, P. M.

Senate met; quorum present.

A message was received from the House, informing the Senate that the House had passed

A bill to define the line of Bell and Milam counties.

A bill to provide for the running the county lines between the counties of Marion, Cass and Titus.

A bill prescribing the manner of authenticating instruments of Record.

A bill to authorize the County Courts of Nacogdoches, Navarro, Jackson, Colorado, Culhoun, El Paso, Jasper, Newton, Dallas, Atascosa, Fort Bend, Fannin, Madison, *et al* Counties, to regulate the pay of sheriffs therein in certain cases.

A bill supplementary and amendatory of the act creating the county of Kaufman, approved February 26, 1848.

A bill to amend the fourth, seventh, eighth, fifteenth, eighth-

teenth, and thirty-fourth sections of an act to provide for the assessment and collection of Taxes, approved February 11, 1850; approved February 11, 1860.

And that the House agreed to Senate's amendment to the House bill to attach the unorganized counties of Wichita, Wilbarger, Hardeman and Greer, to the county of Clay, so as to form one Land District.

The question before the Senate at its adjournment being, on a rereference of the bill for the encouragement of manufactories in Texas, to the committee on State Affairs.

Mr. Martin moved to amend, by referring to the committee on Public Lands; upon which the yeas and nays were called and stood thus:

YEAS—Messrs. Blanch, Chambers, Duggan, Guinn, Herbert, Martin, Miller, Parsons, Pitts, Scarborough and Stockdale—11.

NAYS—Messrs. Dulaney, Erath, Fall, Gentry, Harmon, Hyde, Lott, Neal, Potter, Schloicher, Shepard, Throckmorton and Walker—13.

Mr. Chambers offered the following amendment:

"Provided, that nothing herein contained shall be so construed as to give or grant any portion of land, or land certificates, to any manufactory heretofore constructed within the limits of this State." Lost.

Mr. Martin offered the following amendment:

"That the privileges and benefits of the above act shall only apply to the owners of the first ten establishments of each kind enumerated in this act; and five shall be east of the Trinity river, and five west."

Mr. Miller offered the following as a substitute for the amendment proposed. Add the two following sections:

"SECTION — *Be it further enacted*, That not more than eight factories shall be entitled to the benefits of this act; and four of the eight shall be located east, and the other four west, of the Trinity river.

"SEC. — *Be it further enacted*, That before any of the land certificates provided for by this act shall issue, the company or person to whom they are to be issued shall execute to the State bond, with at least three good securities, to be approved by the Commissioner of the General Land Office, in a sum equal to the value of the certificates to be issued as fixed by law for landscrip, conditioned for the faithful observance of all the obligations imposed on such company, or persons, by this act, and for the continuance of the investment for which the certificates are to issue, for, and during, the term of ten years." Lost.

The question recurring upon the adoption of Mr. Martin's amendment, was put and lost.

Mr. Blanch offered the following amendment:

Strike out "\$10,000" when it occurs, and insert "\$1000."

Mr. Hyde moved to refer to the committee on State Affairs with instructions to report to-morrow. Lost.

Mr. Herbert moved to indefinitely postpone the amendment and the bill. The yeas and nays stood as follows:

YEAS—Messrs. Blanch, Duggan, Guion, Herbert, Milier, Scarborough and Stockdale—7.

NAYS—Messrs. Chambers, Dulaney, Erath, Fall, Gentry, Harmon, Hyde, Lott, Martin, Neal, Parsons, Potter, Schleicher, Shepard, Throckmorton, Walker and Whaley—17.

Mr. Potter moved the previous question, which was ordered; upon which,

Mr. Martin moved a call of the Senate, which was sustained.

Mr. Shepard moved to suspend the call. Lost.

Mr. Stockdale, chairman of the committee on Enrolled Bills, reported:

A joint resolution in relation to the Revenue Cutter "Dodge," correctly enrolled, properly signed, and this day presented to the Governor.

A bill providing means for the payment of certain debts created by authority of the late Convention of the People of the State of Texas, with the report of the committee on Finance, offering amendments thereto, was read, amendments adopted, and bill ordered to be engrossed.

Mr. Gentry made the following report:

The special committee, to which was referred the House bill authorizing a loan, and imposing a specific tax to meet the principal and interest thereof, and specifying how the money arising from the loan shall be applied, have considered the same, and I am instructed to report the bill back to the Senate, with the following amendments; and recommend the adoption of the amendments, and the passage of the bill:

First amendment: Substitute for the caption the following:

"A bill authorizing a loan, and imposing a specific tax to meet the principal and interest thereof, under the provisions of the thirty-third section of the seventh article of the Constitution of the State."

Second: Substitute the following for the first and second sections:

"SECTION 1. *Be it enacted by the Legislature of the State of Texas,* That the Governor of the State of Texas shall cause to

be executed the bonds of the State for the sum of one million dollars, in sums of one thousand dollars each, redeemable in sixteen years, and bearing interest at the rate of eight per centum per annum, payable semi-annually; with coupons for the semi-annual interest attached, payable on the first of July and first of January of each year. The bonds shall be signed by the Governor and Treasurer, and shall be registered by the Comptroller, who shall certify the fact of such registration on the back of the bonds; and the coupons shall be signed by the Treasurer. The bonds and coupons shall be payable at some bank in the city of New Orleans, in the State of Louisiana."

Third: Substitute the following for section 3:

"SECTION 2 The Governor shall appoint an agent to negotiate the sale of said bonds, from time to time, and to place the proceeds of such sales in some bank in the city of New Orleans, to be subject to the order of the Comptroller of the State, and by him to be placed in the State Treasury. Said agent shall be governed by the instructions of the Governor."

Fourth: Substitute, for section 4, the following:

"SECTION 3. The proceeds of the sales of said bonds shall be applied to the following objects, and to no other purpose whatever:

"To the payment of all indebtedness of the State created for the defence of the frontier, and to the payment of appropriations which have been, or may hereafter be, made for the military defence of the State.

"To the repayment of all the disbursements made from the treasury, or anticipated from the accruing revenue of the State, or from any special fund or funds in the State Treasury, to meet appropriations to pay the expenses of the State Convention, and of the extra and adjourned sessions of the Eighth Legislature.

"To the payment of all appropriations made to meet the debts created, or incurred, by authority of the State Convention, and to meet any deficit in appropriations made to meet the expenses of said Convention, and of the expenses of the extra and adjourned sessions of the Eighth Legislature.

"To the payment of any deficit in the appropriations made to meet the ordinary expenses of the Government for the year 1861, arising from the anticipation of the revenue to meet extraordinary demands.

"Fifth: Amend fifth section by striking out of second line from bottom the words 'may now be,' and inserting the words 'is now', and make the fifth section the fourth; the sixth section the fifth; and the seventh section the sixth.

"Sixth: Amend the sixth section, as renumbered, by adding the following proviso:

"Provided, that whenever the State shall have retained and cancelled one-fourth of this issue of one million dollars of bonds, it shall be the duty of the Comptroller of the State to decrease the specific tax herein provided for one cent on the one hundred dollars of the value of the real and personal property assessed; and upon the retiring of each additional sum of two hundred and fifty thousand dollars of this issue of bonds, one cent on the one hundred dollars of said specific tax shall be taken off.

"Seventh: Substitute, for section 8, the following:

"SECTION 7. The money realized by the specific tax provided for in this act shall be applied, first, to the payment of the interest coupons maturing upon this issue of bonds, and the residue shall be deposited in the State Treasury, and constitute a special sinking fund for the redemption of the principal of said bonds. Whenever fifty thousand dollars of said sinking fund shall have accumulated in the Treasury, it shall be the duty of the Governor to cause the Comptroller and Treasurer to invest said amount in the redemption of said bonds. For which purpose the Comptroller shall give thirty days notice, by publication in one newspaper printed in the city of New Orleans, and one in the city of Austin, that he will redeem, or purchase, said amount of bonds from the lowest bidder; and he shall receive sealed proposals therefor, to be opened by him in the presence of the Governor and Treasurer, and he shall redeem the bonds offered at the lowest rates: *provided*, that in no instance shall said officers pay a higher rate for said bonds than ten per centum premium on their value; and further *provided*, that in case they cannot be purchased at a rate within the limits aforesaid, then the said officers may invest said sinking fund in the bonds of the Confederate States of America. *Provided*, they can be obtained within the same limits as to price, and said federal bonds shall be placed in said special sinking fund.

"Eighth: Substitute for section 9, (and make it section 8,) the following:

"SECTION 8. The plate upon which the bonds are engraved shall be returned to the Governor and Comptroller, with the bonds, and shall be by them destroyed.

"Ninth: Make section 10 section 9; make section 11 section 10; make section 12 section 11."

On motion of Mr. Potter, the rule was suspended, and the report and bill was made the special order for to-morrow, at twelve o'clock.

Mr. Throckmorton, in behalf of the joint committee on the Reduction of Expenditures of the State Government, made the following report:

Your committee have examined into, and considered of, the appropriations and expenditures of the Lunatic, Deaf and Dumb, and Blind Asylums. The salaries of officers for the asylums, (except superintendent of Lunatic Asylum,) are not fixed by law, but are fixed by the trustees of the several institutions.

The patients of the Lunatic Asylum, and the pupils of the Deaf and Dumb, and Blind Asylums, are supported by the State entirely, so far as provisioning and lodging them. The officers of the institutions, and their families, are also lodged, and fed, at the expense of the State. The great pressure upon the State Treasury, and the necessity there exists for an increase in the taxes, and a corresponding necessity for the most rigid economy in the administration of every department of government, have induced your committee to report the accompanying bill and to recommend its passage.

It will be observed, in the bill we have proposed, that the pupils of the Deaf and Dumb, and Blind Asylums, shall not cost the State more than \$150 00, annually, each. We mean by this, that the average cost of each pupil, for educating and supporting him, shall not be a charge to the State for more than that sum; and all over that sum shall be paid by the parents or guardians, and, in the case of the indigent, by the county that sends them. We suppose, by a rigid system of economy, (after the schools are properly started,) that one hundred and fifty dollars per annum will support and educate this unfortunate class of our people.

It is extremely difficult for us to determine what is necessary, and much, indeed, all reforms and improvements, must be entrusted, in a great degree, to the observation of the officers and trustees of the several institutions. If they are administered with prudence and economy, the State can keep them up. But if extravagancies and superfluities enter into the administration of them, they had, at once, better be abolished.

We believe they are doing great good, and that the blessings of the unfortunate will be heaped upon those who inaugurated a system of so much humanity. And to make it continuous, and that thousands of poor creatures hereafter may have cause to bless the generosity of their State, it is earnestly hoped that those trustees and officers who control the several institutions will have an eye, and a heart, single to their permanency, and the blessings which they are to confer upon the helpless, for whose benefit they have been endowed.

The committee are satisfied that the trustees and officers will do their whole duty, in carrying out the objects had in view in the endowment of the several asylums. The gratitude of the whole State is due the trustees of the several asylums. Their labors are gratuitous, and prompted wholly by the most benevolent and generous impulses.

On motion, the Senate adjourned until ten o'clock, to-morrow morning.

THURSDAY, April 4th, 1861.

Senate met pursuant to adjournment. Prayer by the Chaplain—roll called—quorum present—the journal of yesterday was read and adopted.

Mr. Shepard, chairman of committee on State Affairs made the following reports :

The committee on State Affairs, to whom was referred a resolution for the repeal of a former resolution, providing that no business of a private nature should be transacted during the present session, have considered the same and instruct me to report that it is now too late in the session, to make it of any practical benefit, they therefore recommend that it be laid on the table.

The committee on State Affairs, to whom was referred a bill for the disposition of run-away slaves, have considered the same and instruct me to report the same to the Senate, and recommend its passage.

The committee on State Affairs, to whom was referred a bill for the relief of the Commissioner of the Boundary Survey, have had the same under consideration, and a majority thereof instruct me to report the bill to the Senate, with the recommendation that the same be rejected, for the reason, that its provisions are in direct contravention with the 25th section, Article third of the constitution of the State of Texas.

The committee on State Affairs, to whom was referred a petition of sundry citizens of Tyler county, for the relief of sheriffs, have considered the same and instruct me to report it as inexpedient to grant the prayer of petitioners, and therefore the committee recommend that the petition be indefinitely postponed, and that they be discharged from further consideration of the same.

The committee on State Affairs, to whom was referred a bill prescribing the duties and obligations in certain cases of com-